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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
SIKRI, ANISH	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/720,949	HODGES ET AL.	
	Examiner	Art Unit	
	Anish Sikri	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 November 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *03/08/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement submitted on 03/08/04 been considered by the Examiner and made of record in the application file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims **1, 4, 19, 20** are rejected under 35 U.S.C 103(a) as being unpatentable over Craig (US Pat 5,790,176), in view of Kovacevic (US Pub 2005/0060420), and in further view of Wee et al (US Pub 2002/0164018).

Consider **Claim 1**, Craig discloses a method recursively segmenting the first data stream into segments, such that a characteristic of a preceding segment determines how a current segment is segmented (Craig, Col 17, Lines 33-50);

recognizing a repetitive segment (Craig, Col 17, Lines 33-50) and inserting a data compression (Craig, Col 6, Lines 42-50) result of a preceding segment to reduce processing of redundant (Craig, Col 10, Lines 62-67, Col 11, Lines 1-6) segments (Craig, Col 17, Lines 33-50);

But Craig fails to disclose receiving a first data stream at a computer, the first data stream comprising packets of data packetized according to a packet protocol; and

dispersing at least one of the segments via a network for a subsequent processing service, receiving a result of the processing service

Nonethless, Kovacevic discloses receiving a first data stream at a computer, the first data stream comprising packets of data packetized according to a packet protocol (Kovacevic, Page 2, [0024]); and dispersing at least one of the segments via a network for a subsequent processing service (Kovacevic, Page 3, [0026]-[0027]), receiving a result of the processing service (Kovacevic, Page 3, [0026]-[0027]);

Craig fails to disclose aggregating the result of the processing service and an unprocessed segment into a second data stream; and communicating the second data stream via the network.

Nonetheless, Wee et al discloses aggregating the result of the processing service and an unprocessed segment into a second data stream (Wee et al, [0014], [0063]); and communicating the second data stream via the network (Wee et al, [0014], [0063]).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of digitized packets being dispersed in the network, taught by Kovacevic, and with incorporating unprocessed data along with the digitized packets, taught by Wee et al, in the system of Craig for the purpose of enabling reliable, robust and multiple data streams based communications being processed in the system.

Consider **Claim 4,** Craig as modified by Kovacevic and Wee et al discloses a method according to claim 1, further comprising replacing a complex segment with a common descriptor to produce an abbreviated annotation (Craig, Col 18, Lines 54-67). It clearly shows on a complex segment is processed.

Consider **Claim 19,** Craig disclose the system comprising: means for recursively segmenting the first data steram into segments, such that a characteristic of a preceding segment determines how a current segment is segmented (Craig, Col 17, Lines 33-50); means for recognizing a repetitive segment (Craig, Col 17, Lines 33-50) and insert a data compression (Craig, Col 6, Lines 42-50) result of a preceding segment to reduce processing of redundant (Craig, Col 10, Lines 62-67, Col 11, Lines 1-6) segments (Craig, Col 17, Lines 33-50);

But Craig fails to disclose means for receiving a first data stream at a computer, the first data stream comprising packets of data packetized according to a packet protocol; means for dispersing at lease of the segments via a network for a subsequent processing service; means for receiving a result of the processing service.

Nonetheless, Kovacevic discloses means for receiving a first data stream at a computer, the first data stream comprising packets of data packetized according to a packet protocol (Kovacevic, Page 2, [0024]); means for dispersing at lease of the segments via a network for a subsequent processing service (Kovacevic, Page 3, [0026]-[0027]); means for receiving a result of the processing service (Kovacevic, Page 3, [0026]-[0027]).

Craig fails to disclose the means for aggregating the result of the prcessing service and unprocessed segment into a second data stream; and means for communicating the second data stream via the network.

Nonetheless, Wee et al discloses the means for aggregating the result of the prcessing service and unprocessed segment into a second data stream (Wee et al, [0014], [0063]); and means for communicating the second data stream via the network (Wee et al, [0014], [0063]).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of digitized packets being dispersed in the network, taught by Kovacevic, and with incorporating unprocessed data along with the digitized packets, taught by Wee et al, in the system of Craig for the purpose of enabling reliable, robust and multiple data streams based communications being processed in the system.

Consider **Claim 20,** Craig discloses a computer program product comprising processor-executable instructions for: for recursively segmenting the first data stream into segments, such that a characteristic of a preceding segment determines how a current segment is segmented (Craig, Col 17, Lines 33-50); for recognizing a repetitive segment (Craig, Col 17, Lines 33-50) and insert a data compression (Craig, Col 6, Lines 42-50) result of a preceding segment to reduce processing of redundant (Craig, Col 10, Lines 62-67, Col 11, Lines 1-6) segments (Craig, Col 17, Lines 33-50);

Craig fails to disclose the receiving a first data stream at a computer, the first data stream comprising packets of data packetized according to a packet protocol; for dispersing at lease of the segments via a network for a subsequent processing service; for receiving a result of the processing service.

Nonetheless, Kovacevic discloses the receiving a first data stream at a computer, the first data stream comprising packets of data packetized according to a packet protocol (Kovacevic, Page 2, [0024]); for dispersing at lease of the segments via a network for a subsequent processing service Kovacevic, Page 3, [0026]-[0027]); for receiving a result of the processing service Kovacevic, Page 3, [0026]-[0027]).

Craig fails to disclose aggregating the result of the processing service and unprocessed segment into a second data stream; and means for communicating the second data stream via the network.

Nonetheless, Wee et al discloses aggregating the result of the processing service and unprocessed segment into a second data stream (Wee et al, [0014], [0063]); and means for communicating the second data stream via the network (Wee et al, [0014], [0063]).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of digitized packets being dispersed in the network, taught by Kovacevic, and with incorporating unprocessed data along with the digitized packets, taught by Wee et al, in the system of Craig for the purpose of enabling reliable, robust and multiple data streams based communications being processed in the system.

Claims 2, 3 are rejected under 35 U.S.C 103(a) as being unpatentable over Craig (US Pat 5,790,176), in view of Kovacevic (US Pub 2005/0060420), and in further view of Wee et al (US Pub 2002/0164018), and in further view of Debey (6,519,693).

Consider **Claim 2**, Craig as modified by Kovacevic and Wee et al fails to disclose the method according to claim 1, wherein recursively segmenting the first data stream comprises observing a sequence of packets having a similar structure to a pervious sequence of packets and segmenting the sequence of packets to have similar content to the previous sequence of packets.

Nonetheless, Debey discloses wherein recursively segmenting the first data stream comprises observing a sequence of packets having a similar structure to a pervious sequence of packets and segmenting the sequence of packets to have similar content to the previous sequence of packets (Debey, Col 8, Lines 7-34, Col 13, Lines 9-32).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to use recursively segments, taught by Debey, in the system of Craig as modified by Kovacevic and Wee et al, for the purpose of maintaining chronological order of segments as they come into the system for processing.

Consider **Claim 3,** Craig as modified by Kovacevic and Wee et al fails to disclose method according to claim 1, wherein recursively segmenting the first data stream

comprises using a chronological characteristic of the preceding segment to describe the current segment.

Nonetheless, Debey discloses wherein recursively segmenting the first data stream comprises observing a sequence of packets having a similar structure to a pervious sequence of packets and segmenting the sequence of packets to have similar content to the previous sequence of packets (Debey, Col 8, Lines 7-34, Col 13, Lines 9-32).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to use recursively segments, taught by Debey, in the system of Craig as modified by Kovacevic and Wee et al, for the purpose of maintaining chronological order of segments as they come into the system for processing.

Claims 5, 6, 7, 8 are rejected under 35 U.S.C 103(a) as being unpatentable over Craig (US Pat 5,790,176), in view of Kovacevic (US Pub 2005/0060420), and in further view of Wee et al (US Pub 2002/0164018), and in further view of Rajan et al (US Pat 6,836,465).

Consider **Claim 5,** Craig as modified by Kovacevic and Wee et al fails to disclose the method according to claim 1, further comprising accruing historical routing information for a segment, the historical routing information describer at least one destination of the segment as the segment travels via the network.

Nonetheless, Rajan et al discloses historical routing information for a segment (Rajan et al, Col 2, Lines 64-67, Col 3, Lines 1-7), the historical routing information describer at least one destination of the segment as the segment travels via the network (Rajan et al, Col 3, Lines 40-42).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate historical routing, taught by Rajan et al, in the system of Craig as modified by Kovacevic and Wee et al, for the purpose of maintaining records/history from where the segments are coming from in the system.

Consider **Claim 6,** Craig as modified by Kovacevic and Wee et al and Rajan et al discloses a method according to claim 5, further comprising assembling the second data stream (Wee et al, [0014], [0063]) using the historical routing information for the

segment (Rajan et al; Col 3, Lines 40-42). It is for purpose of maintaining records/history from where the segments are coming from in the system.

Consider **Claim 7,** Craig as modified by Kovacevic and Wee et al fails to disclose a method according to claim 1, further comprising accruing historical processing information for a segment, the historical processing information describing at least one process performed on the segment.

Nonetheless, Rajan et al discloses historical processing information for a segment, the historical processing information describing at least one process performed on the segment (Rajan et al, Col 3, Lines 40-42).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate historical routing, taught by Rajan et al, in the system of Craig as modified by Kovacevic and Wee et al, for the purpose of maintaining records/history from where the segments are coming from in the system.

Consider **Claim 8,** Craig as modified by Kovacevic and Wee et al and Rajan et al discloses a method according to claim 7, further comprising assembling the second data stream (Wee et al, [0014], [0063]) using the historical processing information for the segment (Rajan et al, Col 3, Lines 40-42). It is for purpose of maintaining records/history from where the segments are coming from in the system.

Claims **9, 10, 11** are rejected under 35 U.S.C 103(a) as being unpatentable over Kovacevic (US Pub 2005/0060420), and in further view of Attias (US Pat 6,957,226) and in further view of Wee et al (US Pub 2002/0164018).

Consider **Claim 9,** Kovacevic discloses a method of providing communications services, comprising receiving data at a computer, the data received as packets of data packetized according to a packet protocol (Kovacevic, Page 2, [0024]); and dispersing at least one of the segments via a network for a subsequent processing service (Kovacevic, Page 3, [0026]-[0027]); receiving results of the subsequent processing service (Kovacevic, Page 3, [0026]-[0027]);

Kovacevic fails to disclose recursively segmenting the packets of data into segments according to a segmentation profile stored in memory, the segmentation profile storing rules that define actions when a similar characteristic between segments is encountered, such that a characteristic of a preceding segment determines how a current segment is segmented.

Nonetheless, Attias discloses recursively segmenting the packets of data into segments according to a segmentation profile stored in memory (Attias, Col 2, Lines 50-67, Col 5, Lines 53-63), the segmentation profile storing rules that define actions when a similar characteristic between segments is encountered, such that a characteristic of a preceding segment determinees how a current segment is segmented (Attias, Col 2, Lines 50-67, Col 5, Lines 53-63);

Kovacevic fails to disclose the assembling a data stream, the data stream comprising i) the results of the subsequent processing service and ii) an unprocessed recursively segmented segment.

Nonetheless, Wee et al discloses the assembling a data stream (Wee et al, [0014], [0063]), the data stream comprising i) the results of the subsequent processing service and ii) an unprocessed recursively segmented segment (Wee et al, [0014], [0063]).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the segmentation profile which defines on how segments are encountered, taught by Attias, and how data stream is processed by Wee et al, in the system of Kovacevic for the purpose of processing segments in a specific order to help in maintaining efficient data processing.

Consider **Claim 10,** Kovacevic as modified by Attias, and Wee et al discloses a method according to claim 9, further comprising communicating the assembled data stream to a client communication device (Wee et al, [0014], [0063]). On how assembled data is communicated within the system.

Consider **Claim 11,** Kovacevic as modified by Attias, and Wee et al discloses a method according to claim 9, further comprising receiving a request for the assembled data stream (Wee et al, [0014], [0063]). On how assembled data is communicated within the system.

Claims **12, 14** are rejected under 35 U.S.C 103(a) as being unpatentable over Kovacevic (US Pub 2005/0060420), and in further view of Attias (US Pat 6,957,226) and in further view of Wee et al (US Pub 2002/0164018), and in further view of Debey (US Pat 6519693).

Consider **Claim 12,** Kovacevic as modified by Attias, and Wee et al fails to disclose a method according to claim 9, wherein recursively segmenting the first data stream comprises using a chronological characteristic of one segment to describe another segment.

Nonetheless, Debey discloses wherein recursively segmenting the first data stream comprises using a chronological characteristic of one segment to describe another segment (Debey, Col 8, Lines 7-34, Col 13, Lines 9-32).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to use recursively segments, taught by Debey, in the system of Kovacevic as modified by Attias and Wee et al, for the purpose of maintaining chronological order of segments as they come into the system for processing.

Consider **Claim 14,** Kovacevic as modified by Attias, and Wee et al fails to disclose the method according to claim 9, wherein recursively segmenting the first data stream comprises observing a sequence of packets having a similar structure to a

previous sequence of packets and segmenting the sequence of packets to have similar content to the previous sequence of packets.

Nonetheless, Debey discloses wherein recursively segmenting the first data stream comprises observing a sequence of packets having a similar structure to a previous sequence of packets and segmenting the sequence of packets to have similar content to the previous sequence of packets (Debey, Col 8, Lines 7-34, Col 13, Lines 9-32).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to use recursively segments, taught by Debey, in the system of, Kovacevic as modified by Attias, and Wee et al, for the purpose of maintaining chronological order of segments as they come into the system for processing.

Claims **13** are rejected under 35 U.S.C 103(a) as being unpatentable over Kovacevic (US Pub 2005/0060420), and in further view of Attias (US Pat 6,957,226) and in further view of Wee et al (US Pub 2002/0164018), and in further view of Craig (US Pat 5,790,176).

Consider **Claim 13,** Kovacevic as modified by Attias, and Wee et al fails to disclose the method according to claim 9, wherein recursively segmenting the first data stream comprises recognizing a repetitive segment and inserting a data compression result of a preceding segment to reduce processing of redundant segments.

Nonetheless, Craig discloses wherein recursively segmenting the first data stream comprises recognizing a repetitive segment (Craig, Col 17, Lines 33-50) and inserting a data compression result of a preceding segment to reduce processing of redundant (Craig, Col 10, Lines 62-67, Col 11, Lines 1-6) segments (Craig, Col 17, Lines 33-50).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to use recursive segments, taught by Craig, in the system of Kovacevic as modified by Attias, and Wee et al, for the purpose reducing processing redundant and repetitive segments coming from the network into the system.

Claims **15-18** are rejected under 35 U.S.C 103(a) as being unpatentable over Kovacevic (US Pub 2005/0060420), and in further view of Attias (US Pat 6,957,226) and in further view of Wee et al (US Pub 2002/0164018), and in further view of Rajan et al (US Pat 6,836,465).

Consider **Claim 15,** Kovacevic as modified by Attias, and Wee et al fails to disclose the method according to claim 9, further comprising accruing historical routing information for a segment, the historical routing information describing at least one destination of the segment as the segment travels via the network.

Nonethless, Rajan et al discloses accruing historical routing information for a segment (Rajan et al, Col 2, Lines 64-67, Col 3, Lines 1-7), the historical routing information describing at least one destination of the segment as the segment travels via the network (Rajan et al, Col 3, Lines 40-42).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate historical routing, taught by Rajan et al, in the system of Kovacevic as modified by Attias, and Wee et al, for the purpose of maintaining records/history from where the segments are coming from in the system.

Consider **Claim 16,** Kovacevic as modified by Attias, and Wee et al, and Rajan et al discloses the method according to claim 15, further comprising assembling the

second data stream (Wee et al, [0014], [0063]) using the historical routing information for the segment (Rajan et al, Col 3, Lines 40-42). It is for purpose of maintaining records/history from where the segments are coming from in the system.

Consider **Claim** 17, Kovacevic as modified by Attias, and Wee et al fails to disclose the method according to claim 9, further comprising accruing historical processing information for a segment, the historical processing information describing at lease one process performed on the segment.

Nonethless, Rajan et al discloses accruing historical processing information for a segment, the historical processing information describing at lease one process performed on the segment (Rajan et al, Col 3, Lines 40-42).

Therefore, it would been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate historical routing, taught by Rajan et al, in the system of Kovacevic as modified by Attias, and Wee et al, for the purpose of maintaining records/history from where the segments are coming from in the system.

Consider **Claim 18,** Kovacevic as modified by Attias, and Wee et al, and Rajan et al discloses the method according to claim 17, further comprising assembling the second data.stream (Wee et al, [0014], [0063]) using the historical processing information for the segment (Rajan et al, Col 3, Lines 40-42). It is for purpose of maintaining records/history from where the segments are coming from in the system.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anish Sikri whose telephone number is 571-270-1783. The examiner can normally be reached on 8am - 5pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri
a.s.
August 20, 2007

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